

**SOUTH DAKOTA DEPARTMENT OF EDUCATION
SPECIAL EDUCATION PROGRAMS**

**Langford School District
Continuous Improvement Monitoring Process Report 2004-2005**

Team Members: Donna Huber and Rita Pettigrew, Education Specialists

Dates of On Site Visit: March 1 and 2, 2005

Date of Report: March 21, 2005

This report contains the results of the steering committee's self-assessment and the validation of the self-assessment by the Special Education Programs. The report addresses six principles – General Supervision, Free Appropriate Public Education, Appropriate Evaluation, Procedural Safeguards, Individualized Education Program and Least Restrictive Environment. Each principle is rated based on the following scale:

Promising Practice	The district/agency exceeds this requirement through the implementation of innovative, high-quality programming and instructional practices.
Meets Requirements	The district/agency consistently meets this requirement.
Needs Improvement	The district/agency has met this requirement but has identified areas of weakness that left unaddressed may result in non-compliance.
Out of Compliance	The district/agency consistently does not meet this requirement.
Not applicable	In a small number of cases, the standard may not be applicable for your district/agency. If an item is not applicable, the steering committee should briefly explain why the item is NA. Example – no private schools within the district boundaries.

Principle 1 – General Supervision
--

General supervision means the school district's administrative responsibilities to ensure federal and state regulations are implemented and a free appropriate public education is provided for each eligible child with a disability. The specific areas addressed in principle one are child find, referral procedures, children voluntarily enrolled by parents in private schools, students placed by the school district, improving results through performance goals and indicators (assessment, drop out, graduation), professional development, suspension and expulsion rates.

Steering Committee Self-Assessment Summary

Data sources used:

- B – District Instructional Staff Information
- C – Suspension and Expulsion Information
- D – Statewide Assessment Information
- E – Enrollment Information
- F – Placement Alternatives
- G – Disabling Conditions

- H – Exiting Information

Promising practice

The steering committee concluded the Langford School District provides various programs such as “Get the Scoop Night”, after-school tutoring program, Accelerated Reader and school-wide Title program as a promising practice.

The district has a well-coordinated discipline reporting system, which is very effective in monitoring student behaviors, especially those that revolve around suspension and expulsion.

Meets requirements

The steering committee concluded the district consistently implements procedures to determine personnel are highly qualified and trained in order to best meet student needs. Training has been provided to staff regarding modifications, special education issues, and the regular classroom teacher’s role in providing services within their classroom. Teachers and paraprofessionals have had opportunities to attend conferences, workshops and other trainings to improve their knowledge. Parents are also included in specific training opportunities when the subject is relevant to their child’s needs.

Needs improvement

The steering committee concluded the district uses a Teacher Assistive Team prior to referral, but the TAT has not consistently documented the pre-referrals interventions and team decisions.

Not applicable

The steering committee concluded the district has not had a student placed out of district in the past six years.

Validation Results**Promising practice**

Through interview of administration and special education staff, the monitoring team concurs with the promising practices identified by the steering committee. The district uses a variety of means to keep parents informed and provide many opportunities for students to be successful within the Langford School District such as “Get the Scoop” night, K Plus program, Kinder Cub Preschool program, after school tutoring program and provide two weeks of orientation to kindergarten students who are enrolled as kindergarteners at the colony school. These programs are provided at no costs to the parent. The district has seen their Dakota Step scores improve as a result of these various programs and teachers report they have seen the benefits within their classroom.

Meets requirements

Through interview of administration and staff the monitoring team concurs with the steering committee findings as meeting requirement under the provision of general supervision. District teachers are certified and highly qualified. Training opportunities have been available to regular classroom teachers on modifications, and paraprofessionals and parents have also had training opportunities.

Needs improvement

Through interview with staff, the monitoring team concurs with the steering committee finding in the area of needs improvement. Staff indicated TAT meetings are being held but more consistent documentation of meeting recommendations and findings would better aide the team if or when the student is referred for evaluation.

Out of compliance

ARSD 24:05:27:08. Yearly review and revision of individual educational programs. Each school district shall initiate and conduct IEP team meetings to periodically review each child's individual educational program and, if appropriate, revise its provisions. An IEP team meeting must be held for this purpose at least once a year.

Through file review, the monitoring team determined the district did not consistently conduct an annual review of each student's IEP. On the 2003 child count the district reported four students who did not have an active IEP in their file on December 1, 2003. This is addressed in more detail under principle 5, Individualized Education Program.

ARSD 24:05:17:03. Annual report of children served. In its annual report of children served, the district shall indicate the number of children with disabilities receiving special education and related services on December 1 of that school year.

Through file review, the monitoring team determined the district reported eight students on the 2003 child count whose evaluation procedures were not comprehensive enough to qualify these students as having a disability. Specific issues are discussed under evaluations procedures and IEP team override under Principle 3, appropriate evaluation.

Of these eight students, one of them overlaps under the category of not having an annual review for the 2003 child count.

Principle 2 – Free Appropriate Public Education

All eligible children with disabilities are entitled to a free appropriate public education in the least restrictive environment. The specific areas addressed in principle two are the provision of FAPE to children residing in group homes, foster homes, or institutions, making FAPE available when a child reaches his/her 3rd birthday and providing FAPE to eligible children with disabilities who have been suspended or expelled from school for more than 10 cumulative days.

Steering Committee Self-Assessment Summary

Data sources used:

State Data Tables:

- B - District Instructional Staff Information
- C - Suspension and Expulsion Information
- E - Enrollment Information
- F - Placement Alternatives
- K- Early Intervention (Part C) Exit Information
- L- Complaints
- M- Hearings
- N- Monitoring

Meets requirements

The steering committee concluded the district consistently meets all requirements under providing a Free and Appropriate Public Education to all children within the district. This conclusion is supported by parent surveys, state data tables and file reviews. District staff is trained on policy and procedures in the event a student with a disability needs to be removed from the classroom, determination of manifestation of behavior is used when needed, and the TAT is used in regard to discipline incidents. The elementary

uses a self-monitoring behavior system in which students assess their own actions and the advantages and repercussions of their behavior. This self-monitoring system is effective in teaching students to self regulate their behaviors.

The steering committee concluded the district consistently meets requirements. The district uses discipline reports, self-monitoring systems in the classroom, TAT meetings, teacher, parent and student input, and administrative involvement to ensure the district provides free appropriate education for all students.

The district comprehensive plan addresses the procedure for protection for students not yet eligible for special education by the administration, such as the superintendent and special education staff and related services.

Validation Results

Meets requirements

Through interview of administration and staff, the monitoring team concurs with all the steering committee findings under the provision of free appropriate public education.

Principle 3 – Appropriate Evaluation

A comprehensive evaluation is conducted by a team of knowledgeable staff, which also includes parental input. A valid and reliable evaluation will result in effective individualized education programs for eligible students. The specific areas addressed in principle three are written notice and consent for evaluation, evaluation procedures and instruments, eligibility determination, reevaluation and continuing eligibility.

Steering Committee Self-Assessment Summary

Data sources used:

- G – Disabling Conditions
- H – Exiting Information
- I – Placement by Age
- J – Placement by Disabling Condition
- L – Complaints
- M – Hearings
- N – Monitoring

Needs improvement

The steering committee concluded the district does not consistently adhere to all requirements during the evaluation process. Parent consent was not consistently obtained for initial evaluations or re-evaluations, all tests listed on the prior notice were not consistently administered, and at times, tests were administered that were not listed on the prior notice. The five day prior notice to evaluation was also not consistently adhered to, nor was the five day notice waived. Students are not consistently being reevaluated prior to dismissal.

The steering committee also concluded the district uses appropriate evaluation tools, but is not consistently documenting functional assessments in a written report. The district completed a multidisciplinary team report only about 70% of the time for students identified with a learning disability. The team decided that it would be beneficial to improve in these areas, and are looking into creating a checklist designed to ensure that all necessary documentation is present in all files.

Out of compliance

The steering committee concluded functional evaluations were not consistently completed in all areas of suspected disability areas, nor were transition evaluations consistently completed prior to students turning age 16.

Evaluations were not consistently completed within 25 school days after the school district's receipt of signed consent.

Validation Results

Out of compliance

24:05:25:03. Preplacement evaluation. Before any action is taken concerning the initial placement of a child with disabilities in a special education program, a full and individual evaluation of the child's educational needs must be conducted in accordance with the requirements of this chapter. Evaluations must be completed within 25 school days after receipt by the district of signed parent consent to evaluate unless other timelines are agreed to by the school administration and the parents. Consent for initial evaluation may not be construed as consent for initial placement.

Through file review the monitoring team determined a sufficiently comprehensive evaluation to determine eligibility was conducted in only 25% of the files reviewed. Functional evaluation was completed in 33% of the files. For one student, no ability or achievement evaluation was completed, for another student, no achievement evaluation was completed, and a third student, identified under the category of mental retardation, no adaptive behavior assessment was completed. There was no evidence of any testing being completed for a fourth student listed on the 2003 child count. A fifth student who was identified on the 2003 child count under the category learning disability does not meet the eligibility criteria for a student with a learning disability in the state of South Dakota.

ARSD 24:05:24.01:31. IEP team override. If the IEP team determines that a student is eligible for special education or special education and related services because the student has a disability and needs special education even though the student does not meet specific requirements in this chapter, the IEP team must include documentation in the record as follows: the record must contain documents that explain why the standards and procedures that are used with the majority of students resulted in invalid findings for this student; the record must indicate what objective data were used to conclude that the student has a disability and is in need of special education. These data may include test scores, work products, self-reports, teacher comments, previous tests, observational data, and other developmental data; since the eligibility decision is based on a synthesis of multiple data and not all data are equally valid, the team must indicate which data had the greatest relative importance for the eligibility decision; and the IEP team override decision must include a sign-off by the IEP team members agreeing to the override decision. If one or more IEP team members disagree with the override decision, the record must include a statement of why they disagree signed by those members.

Through file review, the monitoring team determined the IEP team used the override procedure to determine eligibility for two students but did not use correct procedures in doing so. In both files, the district IEP team used the override process to qualify the student as a student with a disability and in need of special education. In one of these files, the override procedure was unnecessary, because the student could have been determined as eligible for special education under the category of learning disability if the team had considered the difference of more than one standard deviation between the student's ability scores (verbal and perceptual). In the second file, the team did not satisfactorily invalidate the findings of the test results or document functional data to conclude that the student has a disability. The student's achievement scores were nine to nineteen points higher than his full scale ability score which was below average. The IEP team must revisit these students's eligibility.

ARSD 24:05:25:04.03. Determination of eligibility. Upon completing the administration of tests and other evaluation materials as required by this chapter, the individual education program team and other individuals required by § 24:05:25:04.02 shall determine whether the student is a student with a disability, as defined in this article. The school district shall provide a copy of the evaluation report and the documentation of determination of eligibility to the parent.

Through file review the monitoring team determined the district did not consistently provide a copy of the evaluation report to the parents because in three files there was no evidence of a report being written. The team could locate only the protocols with no evaluation summary of the scores.

ARSD 24:05:25:12. Written report for specific learning disabilities. The team shall prepare a written report of the results of the evaluation for specific learning disabilities. The report must include a statement of the following: Whether the child has a specific learning disability; the basis for making the determination; relevant behavior noted during the observation of the child; the relationship of that behavior to the child's academic functioning; educationally relevant medical findings, if any; whether there is a severe discrepancy between achievement and ability which is not correctable without special education and related services; and the determination of the team concerning the effects of environmental, cultural, or economic disadvantage.

Through file review the monitoring determined the district did not consistently determine eligibility for students with a learning disability through the use of a multidisciplinary team process. No multidisciplinary team report could be located in seven files that required such a report.

Issues requiring immediate attention

ARSD 24:05:25:04. Evaluation procedures. School districts shall ensure, at a minimum that evaluation procedures are sufficiently comprehensive to identify all of the child's special education and related services needs.

Through file review, the monitoring concluded the district's evaluation process was not sufficiently comprehensive enough to support the eligibility of eight students on the 2003 child count. Of those eight files, three of the students are no longer in the district. Two of these three files were the result of the district not reviewing evaluation data for students coming into the district to ensure the student qualified as a student with a disability as per the South Dakota eligibility criteria. The third student who is no longer in the school district that was on the 2003 child count under the category of other health impaired did not have an achievement test completed during the March 2003 evaluation process.

In two other files, the students were on the 2003 child count but the evaluation process was not sufficiently comprehensive to determine the student was a student with a disability. In one of these files only the area of ability was evaluated but no other evaluations were conducted. In the second file no ability or achievement evaluations were conducted. The IEP team will need to revisit eligibility and possible reevaluation to determine if these two students continue to be eligible for special education services.

A student identified on the 2003 child count under the category mental retardation is presently being reevaluated to determine eligibility. In 2002 the student was evaluated in the areas of ability and achievement. The psychologist recommended in his report that the team conducts an adaptive behavior assessment which was never done but is a requirement for eligibility under the category mental retardation.

One student was identified on the 2003 child count under the category of mental retardation. The student was not evaluated in all areas to qualify under mental retardation. The team needs to revisit the student's eligibility because the evaluation was not sufficiently comprehensive to qualify the student under the category of learning disability as per evaluations and the multidisciplinary team report.

In another file the evaluation team did not bring forth previously presented medical information for the purpose of determining eligibility. The IEP team needs to revisit this file and include and consider all relevant information as part of the eligibility process.

Through file review, the monitoring team determined the district does not consistently evaluate in the area of transition. In one of the three files which required transition evaluation to be completed the transition evaluation consisted of only the Armed Services Aptitude (ASVAB) Battery which did not address the areas of independent living and community participation which were pertinent to the student's post secondary plans of attending college in 2005.

Principle 4 – Procedural Safeguards

Parents of children with disabilities have certain rights available. The school makes parents aware of these rights and makes sure they are understood. The specific areas addressed in principle four are adult student/transfer of rights, content of rights, consent, written notice, confidentiality and access to records, independent educational evaluation (IEE), complaint procedures, and due process hearings.

Steering Committee Self-Assessment Summary

Data sources used:

State Data Tables:

- L – Complaints
- M – Hearings

Meets requirements

The steering committee concluded the district adheres to procedural safeguards. Parental rights are given to parents with every required encounter. The District maintains records for a minimum of three years. All student files have a record of access. There have been no complaints against the school district within the past five years.

Needs improvement

The steering committee determined the district needs to consistently adhere to all procedural safeguards. Consent for initial placement was obtained in 22 out of 23 files. The prior notice for meetings was found in 35 of the 42 files reviewed.

Out of compliance

The steering committee concluded the district does not have current procedures in place to appoint surrogate parents. The district has never had too utilize this procedure in the past five years. The team is currently obtaining data to meet the requirements pertaining to surrogate parents.

Validation Results

Meets requirements

The monitoring team validates some of the steering committee findings under procedural safeguards. Through file review the district consistently provides parents with a copy of their rights. Parental consent was obtained prior to placement and all files reviewed had a record of access.

Needs improvement

Through file review, the monitoring team could not validate the steering committee finding in the area of consent for initial placement receiving special education services. Of the files reviewed, the monitoring team did locate parental consent for placement for all students on the child count.

Through file review, the monitoring team concurs with the steering committee finding that prior notice for an IEP meeting is not consistently found in student files. The monitoring team could not locate a prior notice for a meeting in three files.

Through file review the monitoring team determined the district does not consistently follow procedural safeguards. In two of fifteen files the district did not evaluate in all areas listed on the prior notice/permission to test. In one file the prior notice/consent to evaluate indicates the district will evaluate in the area of achievement but there was no evidence of achievement evaluations were complete.

Out of compliance

ARSD 24:05:30:15. Surrogate parents. Each school district shall establish procedures for the assignment of a surrogate parent to ensure that the rights of a child are protected if no parent can be identified and the district, after reasonable effort, cannot discover the whereabouts of a parent or if the child is a ward of the state. The district is responsible for the training and certification of surrogate parents and shall maintain a list of persons who may serve as surrogate parents.

Through interview, the monitoring team determined the district does not maintain a list of persons who may serve as surrogate parents.

Principle 5 – Individualized Education Program

The Individualized Education Program (IEP) is a written document for a child with a disability that is developed, reviewed and revised by the IEP team, which includes the parent. The specific areas addressed in principle five are IEP team, IEP content, transition components for secondary IEPs, annual reviews, transition from early intervention program, and IEP related issues.

Steering Committee Self-Assessment Summary

Data sources used:

State Data Tables:

- K- Early intervention (Part C) Exit information
- L- Complaints
- M- Hearings
- N- Monitoring

Meets requirements

The steering committee concluded the district uses prior notice/permission to test forms that contain all the required content. Parents are always invited to meetings and parent surveys indicate the parents feel comfortable in asking questions at the IEP meeting and they feel material is explained so they can understand it. When needed, the district provides a deaf interpreter to attend the IEP meeting.

Needs improvement

The steering committee concluded the district does not consistently complete all necessary content required on the prior notice and in the IEP. Parent input and transition strengths and needs are not consistently documented on the Present Level of Performance page of the IEP. IEP goals were not consistently stated in measurable terms.

Out of compliance

The steering committee concluded the district does not consistently have the appropriate team membership at IEP meetings. The district does not consistently address transition planning and transition assessment prior to the student with a disability turning 16 years old.

The district does not consistently review IEPs on an annual basis and does not consistently hold IEP meeting within 30 calendar days of receipt of the evaluation results. In 40 out of 43 student files reviewed, the IEPs were reviewed on an annual basis. In 40 of 43 student files reviewed, the meeting was held within the 30 calendar days of receiving the evaluation results.

The steering committee also concluded yearly progress toward goals was not consistently documented.

Validation Results**Meets requirements**

Through file review, the steering committee concurs with the steering committee finding that the district prior notice/permission to test form contains all the required content. Through interview the monitoring team concludes that parents have indicated they feel comfortable at IEP meetings and that material is explained in such a way they understand it and that the district has hired a deaf interpreter to meet the needs of a student.

The monitoring team could not validate the steering committee finding that parents are always invited to IEP meetings.

Needs improvement

Through file review, the monitoring team concurs with some the steering committee findings under needing improvement. Parent input was documented in the present level of performance in four of six files.

Through file review the monitoring team concluded the district did not consistently adequately address how the student's disability affects his/her progress in the general curriculum in the present level of performance in 50% of the files. The most recent files do show some improvement in this area.

Out of compliance

The monitoring team concurs with several of the steering committee findings that are out of compliance under IEP. IEPs are not consistently conducted on an annual basis, the district does not consistently have appropriate team membership at IEP meetings and transition evaluation is not consistently addressed for students 16 years and older. Transition evaluation was addressed under principle three, appropriate evaluation.

ARSD 24:05:30:04. Prior notice and parent consent. Written notice which meets the requirements of § 24:05:30:05 must be given to the parents five days before the district proposes or refuses to initiate or change the identification, evaluation, or educational placement of the child or the provision of a free appropriate public education to the child. The five-day notice requirement may be waived by the parents. If the notice described in this section relates to an action proposed by the district that also requires parental consent, the district may give notice at the same time it requests parent consent.

Through file review, the monitoring team located three files in which four separate IEP meetings were conducted and no prior notice for the meeting could be located in the file and the only signature on the cover sheet of the IEP was that of the special education teacher.

ARSD 24:05:27:01.01. IEP team. Each school district shall ensure that the IEP team for each student with disabilities include the following members: the parents of the student; at least one regular education teacher of the student if the student is, or may be, participating in the regular education environment; at least one special education teacher of the student or, if appropriate, at least one special education provider of the student; and a representative of the school district who: (a) Is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of students with disabilities; (b) Is knowledgeable about the general curriculum; and (c) Is knowledgeable about the availability of resources of the school district.

Through file review the monitoring team concluded the district did not have appropriate team membership at all IEP meetings. The cover sheet of one IEP was signed only by the special education teacher. No prior notice for the meeting could be located in this file.

ARSD 24:05:27:08. Yearly review and revision of individual educational programs. Each school district shall initiate and conduct IEP team meetings to periodically review each child's individual educational program and, if appropriate, revise its provisions. An IEP team meeting must be held for this purpose at least once a year. The review shall be conducted to determine whether the annual goals for the student are being achieved. The individualized education program shall be revised, as appropriate, to address: any lack of expected progress toward the annual goals and in general curriculum; the results of any reevaluation conducted; information about the student provided to, or by, the parents; the student's anticipated needs; or other matters.

Through file review the monitoring team concluded that the district did not conduct an annual IEP for four students. In three student files, there was no IEP meeting held for the 2003 school year. In the other file, there was a three month gap in services because the annual IEP meetings were held but did not meet the annual review date.

Principle 6 – Least Restrictive Environment

After the IEP is developed or reviewed, the IEP team must decide where the IEP services are to be provided. Consideration begins in the general education classroom for school age students. The specific areas addressed in principle six are placement decisions, consent for initial placement, least restrictive environment procedures, preschool children, and LRE related issues.

Steering Committee Self-Assessment Summary

Data sources used:

State Data Tables:

- B – Instructional Staff Information
- E – Enrollment Information
- F – Placement Alternatives
- G – Disabling Conditions
- I – Placement by Age
- J – Placement by Disabling Condition
- L – Complaints

- M – Hearings
- N – Monitoring

Meets requirements

The steering committee concluded the Langford School District provides services for students with a disability in the least restrictive environment. The district uses modifications, accommodations and 1:1 classroom assistance to accomplish this. According to student surveys, they also feel they are included and receive their services in the least restrictive environment.

Validation Results**Meets requirements**

The monitoring team concurs with the findings of the steering committee under least restrictive environment. Through interview of staff the monitoring team determined staff is aware of modifications and accommodations needed for the students to be successful within the least restrictive environment.